

Interview Summary

Application No.

10/616,676

Applicant(s)

BIRKESTRAND ET AL.

Examiner

SCOTT A. ZARE

Art Unit

3687

All participants (applicant, applicant's representative, PTO personnel):

(1) SCOTT A. ZARE

(3) _____

(2) DEREK MARTIN

(4) _____

Date of Interview: 24 June 2009

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____

Claim(s) discussed: 45 and 46Identification of prior art discussed: Circenis et al. (US 7,146,496) and Armstrong (US 2002/0156824)Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: It was agreed that the newly added language renders the method claims compliant with 35 USC §101 in view of In re Bilski as they now recite an apparatus for performing the method. Furthermore, in response to the previous rejection under 35 USC §103, Applicant's comments during the interview regarding the differences between the present invention and the prior art were found persuasive and are summarized in the "Reasons for Allowance".

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Scott A. Zare